

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 10-3463 JB

EDDIE CHACO, JR.,

Defendant.

**MEMORANDUM OPINION AND ORDER**

**THIS MATTER** comes before the Court on the United States' Motion *in Limine* #8, filed July 31, 2011 (Doc. 52)(“Motion”). The Court held a hearing on August 3, 2011. The primary issues are whether the Court should: (i) prohibit Defendant Eddie Chaco, Jr., his counsel, and his witnesses from presenting evidence or mentioning an alibi defense; and (ii) prohibit Chaco, his counsel, and his witnesses, in the jury's presence, from presenting evidence or mentioning sentencing consequences of a guilty verdict. On August 1, 2011, Chaco filed his Response to United States' Motion in Limine #8. See Doc. 61 (“Response”). Chaco states that he “ha[s] not ever considered informing the jury of his potential sentence, and Mr. Chaco will not address the potential sentence of a thirty (30) mandatory sentence.” Response at 1. In his Response, Chaco stated that the “United States’ request for information regarding an alibi defense is not relevant.” Response at 2. At the hearing, Chaco clarified that he does not intend to present an alibi defense. Accordingly, the Court grants the Motion.

**IT IS ORDERED** that the United States’ Motion *in Limine* #8, filed July 31, 2011 (Doc.

52), is granted.

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UNITED STATES DISTRICT JUDGE

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